

Before the
COPYRIGHT ROYALTY TRIBUNAL
Washington, D.C.

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In the Matter of :
1989 SATELLITE CARRIER : Docket No. 91-1-89SCD
ROYALTY DISTRIBUTION PROCEEDING :
- - - - - X

AFFIDAVIT

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

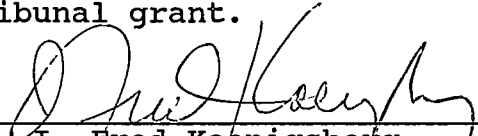
I. FRED KOENIGSBERG, being duly sworn, deposes and
says:

1. I am counsel to the American Society of
Composers, Authors and Publishers ("ASCAP") in this
proceeding.

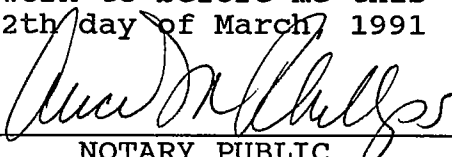
2. On Friday, March 8, 1991, I instructed my
secretary to, and am informed that she did, deliver ASCAP's
Reply Comments to Federal Express for overnight delivery on
Monday, March 11, 1991. A copy of the Federal Express
receipt for that delivery, showing that the documents were
so entrusted to Federal Express, is attached as Exhibit "A."

3. On Tuesday, March 12, 1991, I learned that
Federal Express had not made delivery of the documents to
the Tribunal, for reasons as yet undetermined.

4. Accordingly, ASCAP has filed a Motion for Acceptance of Late-Filed Pleading, which motion I respectfully request that the Tribunal grant.


I. Fred Koenigsberg

Sworn to before me this
12th day of March, 1991


NOTARY PUBLIC

ALICE M. PHILLIPS
Notary Public, State of New York
No. 30-4954904
Qualified in Nassau County
Commission Expires Aug. 21, 1991

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